

PUBLIC DEFENDER Doreen Boxer

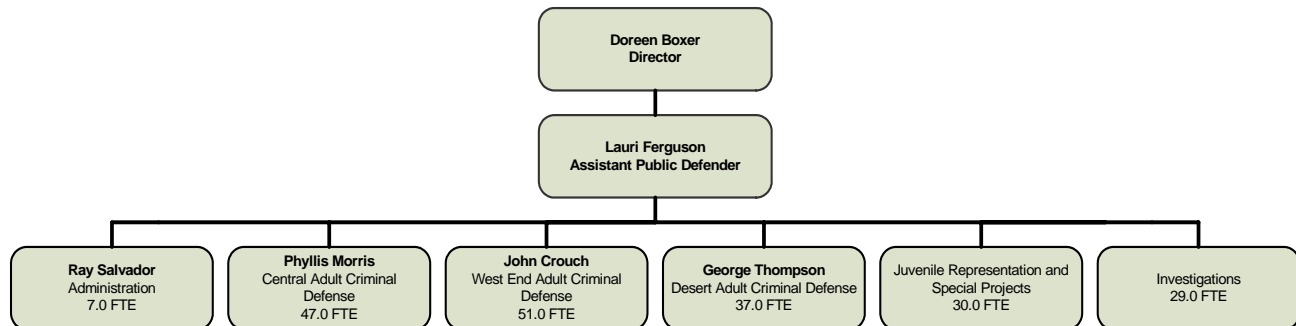
MISSION STATEMENT

The Public Defender protects indigent defendants' constitutional rights by providing skilled legal counsel and capable courtroom advocacy at all critical phases of state level criminal and civil commitment litigation.

STRATEGIC GOALS

1. Reduce backlog of old cases.
2. Reduce personal conflicts between staff and clients.
3. Increase training in all classifications and institute a new mentoring program to "train our successors."
4. Reduce number of declared conflicts.
5. Reduce number of cases from which this office is relieved.
6. Provide constitutionally mandated representation at all critical phases of criminal litigation.

ORGANIZATIONAL CHART



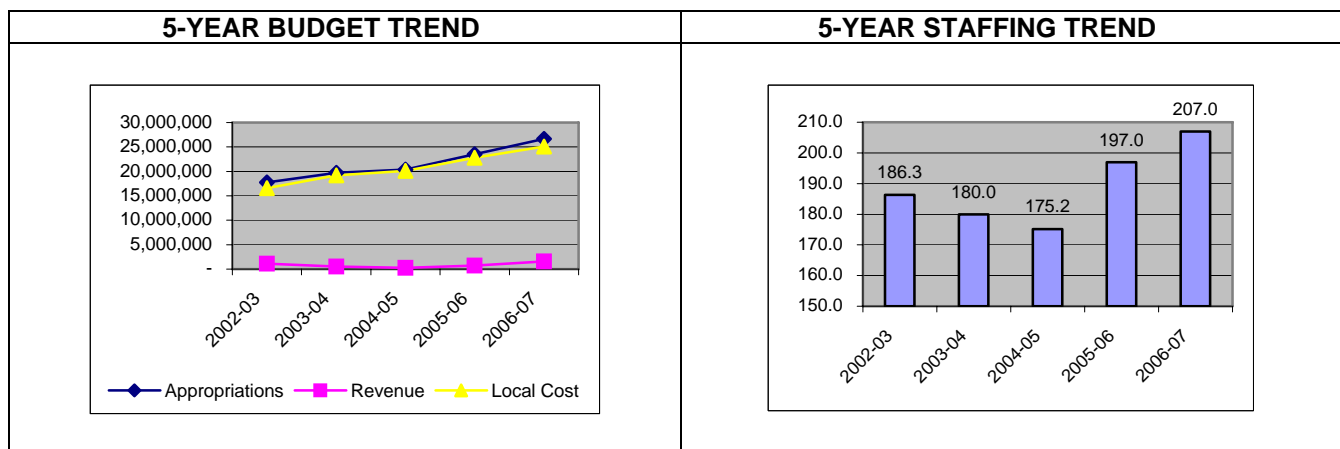
DESCRIPTION OF MAJOR SERVICES

The Public Defender represents indigent clients in misdemeanor, felony, juvenile delinquency, and mental health civil commitment cases. The Public Defender's Office plays a key role in the timely administration of justice by providing constitutionally mandated legal services to indigent clients at every critical stage of the proceedings. Services provided by the Public Defender include investigating the underlying facts and circumstances of each case, performing legal research, writing briefs and writs, counseling clients regarding their legal rights and applicable procedures, negotiating with prosecuting authorities, filing and litigating pre-trial motions, and conducting bench and jury trials.

The present Public Defender was appointed on March 14, 2006 and is currently assessing internal organization, office efficiency, and the Public Defender's ability to keep pace with the County's rapidly growing criminal filings. The newly appointed Public Defender is focused on establishing stability within the department, addressing significant chronic staffing shortages, and updating antiquated technological processes so the department can deliver exceptional representation at all critical stages of litigation.

In addition, the Public Defender is in the process of completing a comprehensive needs assessment and will present those findings to the San Bernardino County Board of Supervisors as soon as they are available. Although the Public Defender's needs assessment is not yet complete, this budget identifies some staffing/program requests of the department. These requests are detailed in the Policy Item Requests table.

BUDGET HISTORY



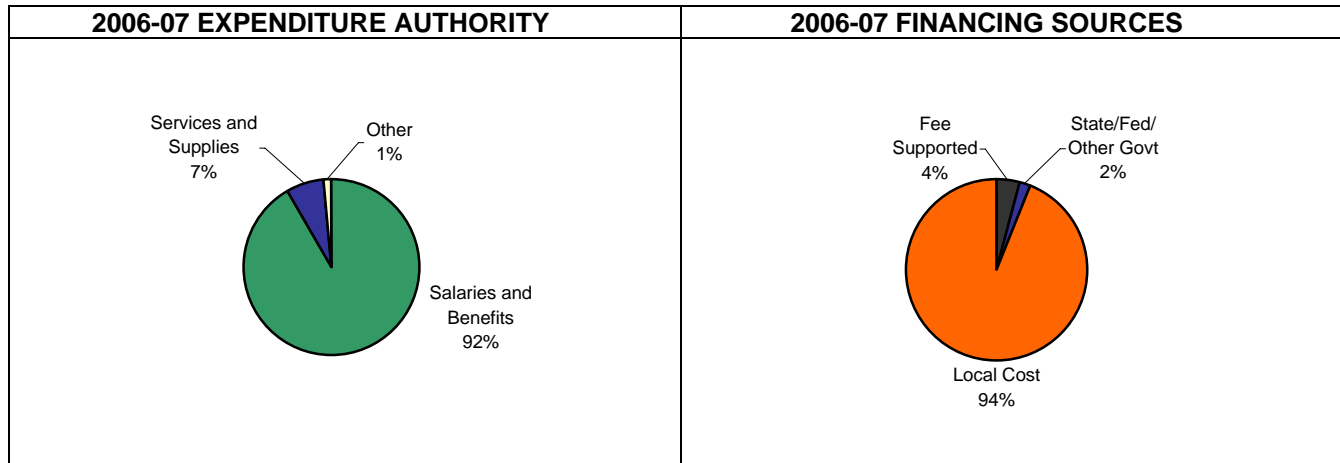
PERFORMANCE HISTORY

	Actual 2002-03	Actual 2003-04	Actual 2004-05	Modified Budget 2005-06	Estimate 2005-06
Appropriation	18,987,647	19,351,644	21,714,034	25,057,423	23,865,892
Departmental Revenue	1,140,378	280,609	621,504	1,034,585	1,110,779
Local Cost	17,847,269	19,071,035	21,092,530	24,022,838	22,755,113
Budgeted Staffing				207.0	

Estimated appropriation is less than modified budget due to salaries and benefits savings resulting from vacancies, and savings in service and supplies primarily due to savings in vehicle charges and general office expense. Estimated revenue is higher than modified budget due to an increase in current service revenue.



ANALYSIS OF PROPOSED BUDGET



GROUP: Law and Justice
DEPARTMENT: Public Defender
FUND: General

BUDGET UNIT: AAA PBD
FUNCTION: Public Protection
ACTIVITY: Judicial

	2002-03 Actual	2003-04 Actual	2004-05 Actual	2005-06 Estimate	2005-06 Final Budget	2006-07 Proposed Budget	Change From 2005-06 Final Budget
Appropriation							
Salaries and Benefits	16,497,356	17,234,438	18,498,044	21,821,581	21,521,505	24,461,931	2,940,426
Services and Supplies	2,116,703	1,808,384	2,556,733	1,683,500	1,637,046	1,671,878	34,832
Central Computer	137,183	97,768	123,443	181,194	153,605	192,949	39,344
Other Charges	667	-	-	-	-	-	-
Equipment	40,196	-	182,648	-	-	-	-
Vehicles	-	-	175,985	-	-	127,303	127,303
Transfers	195,542	211,054	191,159	179,617	183,384	211,618	28,234
Total Exp Authority	18,987,647	19,351,644	21,728,012	23,865,892	23,495,540	26,665,679	3,170,139
Reimbursements	-	-	(13,978)	-	-	-	-
Total Appropriation	18,987,647	19,351,644	21,714,034	23,865,892	23,495,540	26,665,679	3,170,139
Departmental Revenue							
State, Fed or Gov't Aid	92,191	24,731	54,551	264,664	-	500,000	500,000
Current Services	1,048,187	255,878	463,903	846,115	700,000	1,100,000	400,000
Other Revenue	-	-	103,050	-	-	-	-
Total Revenue	1,140,378	280,609	621,504	1,110,779	700,000	1,600,000	900,000
Local Cost	17,847,269	19,071,035	21,092,530	22,755,113	22,795,540	25,065,679	2,270,139
Budgeted Staffing					197.0	207.0	10.0

In 2006-07, the department will incur increased costs in salaries and benefits due primarily to MOU and retirement cost increases combined with salary step increases and a mid-year increase that added 10.0 full time employees (1.0 Investigative Technician, 2.0 Office Assistant III, 1.0 Office Assistant IV, 1.0 Automated Systems Technician, 1.0 Social Services Practitioner, 1.0 Interviewer, 2.0 Deputy Public Defender IV, and 1.0 Supervising Deputy Public Defender). Services and supplies are increasing due to inflation and non-inventoriable equipment expense; central computer charges are also increasing. Vehicles are increased to reflect the purchase of six new vehicles that will be used primarily by the investigative staff. Transfers are increased to reflect increased EHAP and rent costs.

Increased revenue from current services will partially offset increased costs. In addition, the state has resumed payment of SB 90 claims, which accounts for the increase in state aid.



PERFORMANCE MEASURES		
Description of Performance Measure	Estimated 2005-06	Proposed 2006-07
Reduce number of old cases (more than 180 days for felonies, 120 days for misdemeanors).		10%
Reduce Marsden Hearings.		10%
Increase Training Spending.		15%

POLICY ITEM REQUESTS						
Rank	Brief Description of Policy Item	Budgeted Staffing	Appropriation	Departmental Revenue	Local Cost	Proposed 2006-07 Performance Measurement
1	Office Support Staff Barstow Public Defender's office receives 25-65 unscheduled visits per day. In addition, numerous phone calls are received. There is currently no support staff to handle this volume. Adding an Office Assistant II position would improve office efficiency and customer service and prevent errors.	1.0	51,684	-	51,684	
	<i>Proposed Performance Measure: Reduce number of cases that office is relieved of.</i>					10%
2	Writs and Appeals/Training This program would require one attorney who would support attorneys fighting conflict findings and provide training. This position would provide parity with the District Attorney's office. An Office Assistant III is being requested for support to the program.	2.0	244,252	-	244,252	
	<i>Proposed Performance Measure: Reduce number of cases that office is relieved of.</i>					30%
	<i>Proposed Performance Measure: Increase training in all classifications.</i>					100%
3	Arraignment Staffing Two attorneys and one office assistant III are needed to staff one arraignment court. By providing indigent representation at arraignment, a significant amount of minor cases can be resolved without additional court appearances, freeing up attorney time to address backlog of cases.	3.0	428,215	-	428,215	
	<i>Proposed Performance Measure: Reduce number of cases that office is relieved of and reduce backlog.</i>					30%
	<i>Proposed Performance Measure: Provide representation at all critical phases of litigation.</i>					30%
4	Central Division The current attorneys in the Central Division are handling extremely high caseloads. The addition of two attorneys would assist in alleviating the department's backlog and assist with unmanageable caseloads.	2.0	367,926	-	367,926	
	<i>Proposed Performance Measure: Reduce number of cases that office is relieved of and reduce backlog.</i>					30
5	Juvenile Division The current attorneys in the Juvenile Division are handling extremely high caseloads. The addition of two Deputy Public Defenders would assist in making the caseloads more manageable.	2.0	367,926	-	367,926	
	<i>Proposed Performance Measure: Reduce number of cases that office is relieved of and reduce backlog.</i>					30%
6	Convert Extra Help positions Convert extra help Deputy Public Defender and extra help interviewer positions to regular. Conversion of the extra help positions to regular positions would assist the Public Defender in filling these positions. The attorney position would assist with attorney caseload and the interviewer would assist attorneys with gathering pertinent information from clients thereby freeing up attorney time.		83,402	-	83,402	
	<i>Proposed Performance Measure: Reduce number of cases that office is relieved of and reduce backlog.</i>					30%



POLICY ITEM REQUESTS						
Rank	Brief Description of Policy Item	Budgeted Staffing	Appropriation	Departmental Revenue	Local Cost	Proposed 2006-07 Performance Measurement
7	Supervising Attorney The Public Defender has only one Supervising Attorney for its Juvenile Division. This attorney must spend an extensive amount of time traveling between the PD's three juvenile offices and the courts. This leads to an extensive amount of travel time and a diminished amount of time spent supervising. An additional supervisor would split the workload creating greater efficiency within the division.	1.0	196,254	-	196,254	
	<i>Proposed Performance Measure: Reduce number of cases that office is relieved of and reduce backlog.</i>					30%
	<i>Proposed Performance Measure: Increase training in all classifications.</i>					20%
8	Investigator Positions Three investigators are requested; one for the juvenile division, one for the west division, and one for the central division. Minors have the right to a trial within 15 days of their arraignment if they are in custody and 30 days if they are out of custody. This short window of time is causing the Public Defender to contract out some of the juvenile investigative work which is more expensive than hiring an additional investigator. In addition, both the west and the central location require an additional investigator to decrease caseload among the existing investigators. This request also includes three vehicles.	3.0	415,113	-	415,113	
	<i>Proposed Performance Measure: Reduce number of cases that office is relieved of and reduce backlog.</i>					30%
9	Paralegal New changes to the Penal Code permits law enforcement to destroy evidence upon notice to the Public Defender. The PD must represent the affected defendant in any litigation concerning the destruction of the evidence. In addition, the PD has been inundated with requests for expunging records. Much of the paperwork associated with these actions can be handled by a paralegal, which would free up attorney time. The paralegal would also assist with paperwork for the Community Plea and Homeless Court outreach programs.	1.0	83,495	-	83,495	
	<i>Proposed Performance Measure: Reduce number of cases that office is relieved of and reduce backlog.</i>					30%
10	Interviewer Public Defender Interviewers perform routine questioning of clients. In doing so, attorney time is freed up and the necessary information is obtained at a more reasonable cost. This interviewer position would serve the central division.	1.0	54,203	-	54,203	
	<i>Proposed Performance Measure: Reduce number of cases that office is relieved of and reduce backlog.</i>					30%
11	Office Support Staff The Public Defender is requesting one Office Assistant III and reclassification of an Office Assistant IV to a Supervising Office Assistant for the Central Office. In addition, the PD is requesting one Office Assistant for the Fontana office. This addition to staff is necessary to support the number of attorneys at these offices.	2.0	117,386	-	117,386	
	<i>Proposed Performance Measure: Reduce number of cases that office is relieved of and reduce backlog.</i>					30%
	<i>Proposed Performance Measure: Increase training in all classifications.</i>					30%
12	Deputy Public Defender In the past three years, the Fontana office has seen a 25% increase in caseload. All projections indicate this increase will continue and possible escalate. In light of the increased caseload, Fontana requires one new attorney to keep caseloads manageable.	1.0	183,963	-	183,963	
	<i>Proposed Performance Measure: Reduce number of cases that office is relieved of and reduce backlog.</i>					30%



POLICY ITEM REQUESTS						
Rank	Brief Description of Policy Item	Budgeted Staffing	Appropriation	Departmental Revenue	Local Cost	Proposed 2006-07 Performance Measurement
13	Social Service Practitioner The social service practitioner would provide psychosocial assessments, monitor minors in juvenile hall and provide family dynamics assessments to determine suitability for placement at home. The PD's office currently operates with one social service practitioner. Due to the increased caseload and the large geographical area covered, the PD is requesting an additional social service practitioner plus one vehicle for the social service practitioner.	1.0	137,283	-	137,283	
	<i>Proposed Performance Measure: Reduce number of cases that office is relieved of and reduce backlog.</i>					30%
Total		<u>20.0</u>	<u>2,731,102</u>	<u>-</u>	<u>2,731,102</u>	

